Notice of Allowability	Application No.	Applicant(s)	
	09/954,656	GAERTNER ET AL.	
	Examiner	Art Unit	
	Mariceli Santiago	2879	
The MAILING DATE of this communication appe All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this app or other appropriate communication GHTS. This application is subject to	olication. If not include will be mailed in due	ed course. <b>THIS</b>
1. $\boxtimes$ This communication is responsive to <u>Amendment filed Aug</u>	<u>ust 23, 2004</u> .		
2. The allowed claim(s) is/are 5,6 and 9.			
3.   The drawings filed on 18 September 2001 are accepted by the Examiner.			
<ul> <li>4.  Acknowledgment is made of a claim for foreign priority una)  All b)  Some* c)  None of the: <ol> <li>1.  Certified copies of the priority documents have</li> <li>2.  Certified copies of the priority documents have</li> <li>3.  Copies of the certified copies of the priority documents have</li> <li>International Bureau (PCT Rule 17.2(a)).</li> </ol> </li> <li>* Certified copies not received:</li> </ul>	been received. been received in Application No		tion from the
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	of this communication to file a reply of this application.	complying with the red	quirements
5. A SUBSTITUTE OATH OR DECLARATION must be submit INFORMAL PATENT APPLICATION (PTO-152) which give	itted. Note the attached EXAMINER's reason(s) why the oath or declarate	S AMENDMENT or N tion is deficient.	OTICE OF
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") mus  (a) ☐ including changes required by the Notice of Draftspers  1) ☐ hereto or 2) ☐ to Paper No./Mail Date  (b) ☐ including changes required by the attached Examiner's Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1. each sheet. Replacement sheet(s) should be labeled as such in the stacked Examiner's comment regarding REQUIREMENT I	on's Patent Drawing Review (PTO-9 s Amendment / Comment or in the O .84(c)) should be written on the drawin he header according to 37 CFR 1.121(c sit of BIOLOGICAL MATERIAL m	ffice action of  gs in the front (not the  l).  nust be submitted. N	•
Attachment(s)  1. ☐ Notice of References Cited (PTO-892)  2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date  4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	5.  Notice of Informal Pa 6.  Interview Summary Paper No./Mail Date 8),  Examiner's Amendm 8.  Examiner's Stateme 9.  Other	(PTO-413), e nent/Comment	,

## **DETAILED ACTION**

## Response to Amendment

The Amendment, filed on August 23, 2004, has been entered and acknowledged by the Examiner.

Cancellation of claims 1-4, 7 and 9 has been entered.

Claims 5, 6 and 8 are pending in the instant application.

## Allowable Subject Matter

Claims 5, 6 and 9 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

Regarding claim 5, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 5, and specifically comprising the limitation of the electron-emitting material is a stratified composite of at least a first and at least a second layer, said first layer comprising the oxide particles of the alkaline earth oxide selected from the group formed by the oxides of calcium, strontium and barium, and the oxide particles having the a first grain size distribution of the oxide selected from the group formed by the oxides of scandium, yttrium and the lanthanoids, and the second layer comprising the oxide particles of the alkaline earth oxide selected from the group formed by the oxides of calcium, strontium and barium, and the oxide particles having the second grain size distribution of the oxide selected from the group formed by the oxide selected

Regarding claim 6, claim 6 is allowable for the reasons given in claim 5 because of its dependency status from claim 5.

Regarding claim 8, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 8, and specifically comprising the limitation of

Application/Control Number: 09/954,656 Page 3

Art Unit: 2879

the electron-emitting material comprises 1 to 3 wt.% particles of an activator metal selected from

the group formed by Mg, Al, Fe, Si, Ti, Hf, W, Mo, Mn and Cr, which are coated with a metal

selected from the group formed by PD, Rh, Pt, Co, Ni, Ir and Re.

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the

issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons"

for Allowance."

**Contact Information** 

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The

examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about PAIR system,

see <a href="http://pair-direct.uspto.gov">http://pair-direct.uspto.gov</a>. Should you have questions on access to Private PAIR system,

contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Myzo 9/10/04 Mariceli Santiago Patent Examiner Art Unit 2879

NIMESHKUMAR D. PATEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800